

STATEMENT OF WORK

Remedial Action Contract 2 Full Service (RAC 2 FS)

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I. BACKGROUND

This Remedial Action Contract 2 Full Service (RAC 2 FS) provides professional architect/engineer, technical, and management services to the Environmental Protection Agency (EPA) to support remedial response, enforcement oversight and non-time critical removal activities under the Comprehensive Environmental Response Compensation and Liability Act of 1980 (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA); and the Robert T. Stafford Disaster Relief and Emergency Assistance Act pursuant to the Federal Response Plan (FRP) and other laws to help address and/or mitigate endangerment to the public health, welfare or environment, and to support States and communities in preparing for responses to releases of hazardous substances, as well as counter-terrorism.

II. GENERAL REQUIREMENTS

Contract services include performance of site management; remedial investigation and feasibility studies; engineering services to design remedial actions; construction management for implementing remedial actions, including issuing and managing subcontracts for construction of the selected remedy and engineering services in overseeing construction; engineering evaluation and cost analysis for non-time critical removal actions; enforcement support, including oversight of remedial investigations/feasibility studies, remedial design, remedial action, removal action, and negotiation support; and other technical assistance, including cleanup-clean air initiative, community involvement, sampling and analysis support, risk assessment, five-year reviews, long-term response actions and pre-design investigations. Services may include technical and management services supporting EPA's coordination and oversight of remedial activities where they are performed by a State, the U.S. Army Corps of Engineers (USACE), third party or responsible parties identified in enforcement actions. Services would also support activities under the Brownfields Initiative.

The RAC 2 FS plays a major role in the effective streamlining and acceleration of Superfund site cleanups and early action to reduce immediate risk to human health and the environment. This will be accomplished through integration of remedial and removal activities, with focus on removing redundancies in the site assessment process and creating a one-step site screening and risk assessment process. In line with this effort, the Contract has been designed to accomplish non-time critical removals as well as traditional Superfund remedial actions. Tasks under the work areas defined in the Statement of Work (SOW) will be specified, as needed, in work ordering instruments, and their scope may be modified to reduce redundancies and accelerate cleanups.

The Contractor shall provide professional architect/engineer, technical, and management services in support of EPA's remedial response, enforcement oversight, and non-time critical removal activities at sites of release or threatened release of hazardous substances under the Comprehensive Environmental Response Compensation and Liability Act of 1980 (CERCLA) as

amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA) and the Robert T. Stafford Disaster Relief and Emergency Assistance Act pursuant to the Federal Response Plan (FRP) and other laws to help address and/or mitigate endangerment to the public health, welfare or environment, and to support States and communities in preparing for responses to releases of hazardous substances, as well as counter-terrorism. This Contract shall not provide the above services for activities on Federal facilities.

A. IMPLEMENTATION OF THE SOW

When conducting activities under this contract, the contractor shall operate in accordance with all environmental statutes and regulations, as appropriate, including the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) as amended, the Clean Water Act/Oil Pollution Act as amended, the Clean Air Act as amended, the National Contingency Plan as amended and the Toxic Substances Control Act as amended.

In accordance with applicable laws, regulations, guidance and policies, the Contractor shall furnish the personnel, services, materials, equipment, knowledge, and expertise to successfully complete the tasks required under this contract. Any and all services and products shall be delivered in compliance with all applicable Federal, State, and local laws, regulations, guidance and policies, and will be adjusted to reflect those applicable laws, regulations, guidance, and policies which become effective after the effective date of this contract.

The Contractor may be tasked to provide remediation services activities within Mexico or Canada. The Contractor will be subject to applicable foreign laws while performing these activities and for ensuring that all Mexican or Canadian requirements necessary to perform these activities are met.

B. CLEANUP – CLEAN AIR INITIATIVE

Clean Air

In the performance of all activities performed under this contract, the contractor shall where directed by EPA use cleaner engines, cleaner fuel and cleaner diesel control technology on diesel powered equipment with engines greater than 50 horsepower whether the equipment is owned or rented. Direction will be provided on a Task Order by Task Order basis. The contractor shall provide a break-out cost for each task order in accordance with the instruction in contract clause addressing Task orders.

Cleaner engines include non-road engines meeting Tier I or cleaner standards and on-road engines meeting 2004 On-Highway Heavy Duty Engine Emissions Standards or cleaner, whether the equipment is owned or rented. Cleaner fuels include biodiesel blends or ultra low sulfur diesel. Cleaner diesel control technology includes EPA or California Air Resources Board ("CARB") verified diesel particulate filters ("DPFs") or diesel oxidation catalysts ("DOCs"). The contractor shall track emissions reduced (i.e., tons of diesel particulate matter reduced) associated with using cleaner diesel equipment and fuels.

Renewable Energy

The contractor shall evaluate all reasonably feasible renewable energy sources when conducting work related to selecting a cleanup remedy, constructing a cleanup remedy, and when optimizing an existing cleanup remedy. Sources of renewable energy include solar, wind, and biomass and biogas. Examples of renewable energy technologies include photovoltaic panels, wind turbines, digesters, gasifiers, and micro turbines. Part of evaluating renewable energy sources and technologies will involve a cost analysis, comparing the energy costs from renewable sources versus traditional electricity sources provided by local utilities, over the expected life of the cleanup remedy. Similarly, an evaluation of the avoided emissions as a result of using renewable energy sources versus traditional energy sources provided by local utilities shall be performed. The contractor shall also evaluate the cost of purchasing green power from organizations that offer green power within the appropriate state.

C. WORK AREAS, TASKS AND WORK BREAKDOWN STRUCTURE

The Work Breakdown Structure (WBS) (Exhibit 1) presents Tasks for each Work Area. The Task Inventory (Exhibit 2) presents all the tasks and indicates which Work Areas the tasks would apply. Not all tasks described under each Work Area in the WBS will be used for every assignment. The contractor shall utilize the SOW WBS, as presented and supplemented through individual Work Ordering Documents, for project scoping, scheduling and technical and costs tracking and reporting.

Work Areas are organized into three categories:

- o Fund-Lead Site Specific Work Areas
- o Enforcement Support Site Specific Work Areas
- o Other Technical Assistance Site Specific Work Areas

In addition to outcomes and deliverables listed within Work Areas, individual work ordering instruments may specify additional outcomes and deliverables.

The contractor shall avoid duplication of prior efforts in gathering and assimilating site information and recommend opportunities for early actions in order to reduce site risks as quickly as possible. The contractor shall utilize the most applicable and current regulations and guidance documents when conducting work. The contractor shall continually look for and implement ways to streamline activities and minimize costs without compromising quality. The contractor shall assign work to personnel at the appropriate professional and/or technical levels and with the appropriate skills to most efficiently perform tasks.

When tasked, the Contractor shall provide the services in the SOW to any EPA Regional Office, unless specific place of performance limitations are established in the Contract.

III. SPECIFIC REQUIREMENTS

The contractor shall perform the following activities when requested via the issuance of a task order instrument. Additional outcomes and deliverables may be further defined in the respective task order document.

A. FUND-LEAD SITE SPECIFIC WORK AREAS

The EPA will issue work ordering instruments for sites that have been selected by EPA for fund-financed study and/or remedial action, where EPA has assumed the lead responsibility for managing the site. The activities to be performed shall be consistent with Section 300.68 of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) and Section 121 of the Superfund Amendments and Reauthorization Act of 1986 (SARA).

REMEDIAL INVESTIGATION/FEASIBILITY STUDY (RI/FS)

Under the RI, assess the extent of contamination, assess the risks to human health and the environment, and support the development, evaluation and selection of appropriate response alternatives. Under the FS, assist in developing appropriate remedial alternatives and evaluate them so the appropriate remedy may be selected. RI/FS activities must be in accordance with all applicable regulations and guidance including but not limited to OSWER Directive 9355.3-01, 10-88 (Guidance for Conducting Remedial Investigations and Feasibility Studies under CERCLA). The Government may order a combined RI/FS or separate RI or FS. This will be defined in the work ordering instrument.

Expected outcomes and deliverables:

1. Remedial Investigation Report (and/or)
2. Feasibility Report/Study

REMEDIAL DESIGN

Convert the remedy selected in the Record of Decision (ROD) into a final design document for the Remedial Action (RA). All activities shall be in conformance with the remedy selected and set forth in the ROD, or otherwise directed by EPA.

Expected outcomes and deliverables:

1. Design Criteria/Conceptual (Preliminary) Design
2. Intermediate Design
3. Pre-final/ Final Design (including cost estimate)

REMEDIAL ACTION

Implement the design remedy through the procurement of a construction subcontractor(s), construction management activities, and technical and field engineering services, in accordance with the objectives of the Remedial Design.

Expected outcomes and deliverables:

1. Construction completion and/or implementation of remedy
2. Remedial Action Report

CONSTRUCTION SUPPORT

Provide technical assistance during the implementation of a Fund-lead RA or Long Term Response Action (LTRA) to support the Remedial Project Manager with Resident Engineering services in accordance with the objectives of the Remedial Design and LTRA.

Expected outcomes and deliverables:

1. Comments on RA submittals
2. Oversight inspection

LONG-TERM RESPONSE ACTION

Implement on-going design remedy involving operation of long-term treatment systems for ground water and surface water restoration measures, including natural attenuation. This applies to the first ten years of restoration.

Expected outcomes and deliverables:

1. Operation, maintenance and sampling programs as described in the applicable Operations and Maintenance Manual
2. Performance Reporting
3. Operation of treatment system

NON-TIME CRITICAL REMOVAL SUPPORT (EE/CAs)

Provide Non-Time Critical Removal Support in accordance with "Engineering Evaluation Cost Analysis Guidance for Non-Time Critical Removal Actions" (EPA, 1987, or latest revision) and "Outline of EE/CA Guidance" (EPA, March 30, 1988, or latest revision).

Expected outcomes and deliverables:

1. Engineering Evaluation/Cost Analysis

NON-TIME CRITICAL REMOVAL ACTION

Implement the design remedy involving the procurement of a construction subcontractor(s) and construction management activities, in addition to technical engineering services, in accordance with the objectives of the Remedial Design. Prepare necessary design documents required to implement the alternative identified in the Action Memo approved by the Agency.

Expected outcomes and deliverables:

1. After Action Report

POST-CONSTRUCTION REMEDIAL ACTION

Implement improvements to the design remedy and incorporate Five Year Review follow up recommendations through the procurement of a construction subcontractor(s), construction management activities, and technical and field engineering services, in accordance with the objectives of the initial and post construction Remedial Designs.

Expected outcomes and deliverables:

1. Construction completion and/or implementation of remedy improvements
2. Remedial Action Report

B. ENFORCEMENT SUPPORT SITE SPECIFIC WORK AREAS

RI/FS OVERSIGHT

Oversee Potentially Responsible Party (PRP) RI/FS activities. Verify PRP technical work is conducted in accordance with the Settlement Agreement (administrative order on consent or a judicial consent decree) statement of work.

Expected outcomes and deliverables:

1. Technical Review and Comments on PRP submittals
2. Field oversight of PRP on-site activities

NEGOTIATION SUPPORT

Monitor and provide technical support to EPA staff during negotiations with PRP for implementation of the Remedial Investigation/Feasibility Study, Remedial Design/Remedial Action, or Removal Action activities.

Expected outcomes and deliverables defined in individual work order instrument.

RD OVERSIGHT

Verify PRP work is conducted in accordance with the Settlement Agreement (an administrative order on consent or a consent decree or an unilateral administrative order) statement of work.

Expected outcome:

1. Comments on PRP Submittals

RA OVERSIGHT

Verify PRP work is conducted in accordance with the Settlement Agreement (a consent decree or a unilateral administrative order) statement of work.

Expected outcome:

1. Comments on PRP Submittals
2. Oversight/field inspection of PRP construction operations

REMOVAL OVERSIGHT

Verify PRP work is conducted in accordance with the Settlement Agreement (an administrative order on consent or a consent decree) statement of work.

Expected outcome and deliverables:

1. Comments on PRP submittals.
2. Oversight/field inspection of PRP removal activities

LONG-TERM RESPONSE OVERSIGHT

Verify PRP work is conducted in accordance with the Settlement Agreement (a consent decree or a unilateral administrative order) statement of work.

Expected outcomes and deliverables defined in individual work order instrument.

OPERATION AND MAINTENANCE (O&M) OVERSIGHT

Verify that PRP O&M is conducted in accordance with the Settlement Agreement (an administrative order on consent or a consent decree) statement of work. If State is conducting O&M, verify that State O&M is conducted in accordance with Superfund State Contract and O&M Plan.

Expected outcomes and deliverables defined in individual work order instrument.

LITIGATION SUPPORT

Provide EPA with technical support with regard to litigation. However, the contractor will not provide any legal services, representation or counseling to EPA.

Expected outcome and deliverables defined in individual work order instrument.

POST-CONSTRUCTION RA OVERSIGHT

Verify PRP work is conducted in accordance with the Settlement Agreement (a consent decree or a unilateral administrative order) statement of work. Incorporate EPA approved PRP initial and post construction remedial designs that address Five Year Review remedy follow up recommendations.

Expected outcome:

1. Comments on PRP Submittals
2. Oversight/field inspection of PRP construction operations

C. OTHER TECHNICAL ASSISTANCE SITE SPECIFIC WORK AREAS

COMMUNITY INVOLVEMENT

Assist in the preparation and implementation of the Community Involvement Plan for the site.

Expected outcome and deliverables defined in individual work order instrument.

SAMPLING AND ANALYTICAL SUPPORT

Provide sampling and analytical support including long term monitoring.

Expected outcome and deliverables defined in individual work order instrument.

PRE-DESIGN INVESTIGATION

Perform pre-design investigations.

Expected outcome and deliverables defined in individual work order instrument.

TREATABILITY STUDY/PILOT TESTING

Provide the data necessary to evaluate and implement one or more remedial alternatives. These studies generally involve characterizing untreated wastes and evaluating the performance of the technology under different operating conditions.

Expected outcome and deliverables defined in individual work order instrument.

RISK ASSESSMENT

Conduct Baseline Human Health Risk Assessment and Baseline Ecological Risk Assessment and prepare the necessary documents to characterize and quantify, where appropriate, the current and potential human health and environmental risks that would prevail if no further action is taken.

Expected outcome and deliverables defined in individual work order instrument.

PRELIMINARY ASSESSMENT FOR SITE ASSESSMENT

Provide preliminary assessment activities for site assessments. Preliminary assessments (PA) are intended to provide a preliminary screening of sites to facilitate the assignment of site priorities. EPA shall determine site priorities for placing sites on the National Priority List (NPL). Conduct all preliminary assessments in accordance with "Guidance for Performing Preliminary Assessments under CERCLA," OSWER Directive 9345.0-01A, September 1991, or latest revision. Major activities include background research, a site reconnaissance, the generation of a PA report, and the generation of a preliminary Hazard Ranking System (HRS) score. The EPA shall make the determination of final HRS scores.

Expected outcome and deliverables defined in individual work order instrument.

1. Draft and final PA report

SITE INSPECTION FOR SITE ASSESSMENT

Perform site inspection activities for site assessments. Site inspections (SI) are the second phase of an ongoing screening process used to determine whether a site has the potential to be included on the National Priorities List. The EPA shall determine site priorities for placing sites on the National Priority List (NPL). This work area includes Screening Site Inspections and Expanded Site Inspections. All Site inspections shall be performed in accordance with "Guidance for Performing Site Inspections under CERCLA," OSWER Directive 9345.1-05, September 1992, Interim Final, or latest revision. Major activities include background research, field sampling, generation of an SI report, and generation of an HRS score. The EPA will make the determination of the final HRS score.

Expected outcome and deliverables defined in individual work order instrument.

HRS PACKAGE PREPARATION FOR SITE ASSESSMENT

Prepare Hazard Ranking System (HRS) packages for site assessments. The Hazard Ranking System is a scoring system that evaluates the relative threat to public health and the environment posed by releases and potential releases of hazardous substances. The HRS score

and the supporting documentation are compiled into an HRS package. The EPA uses the information in this package to determine HRS scores, to determine priorities of sites for placement on the National Priority List (NPL), and to place sites on the NPL. Major activities in this work area include background research, generation of an estimated HRS score, preparation of a summary report or data gap memo if necessary, and the generation of an HRS documentation record.

Expected outcome and deliverables defined in individual work order instrument.

SITE SECURITY AND MAINTENANCE

Perform site security.

Expected outcome and deliverables defined in individual work order instrument.

DESIGN ASSISTANCE

Perform design assistance activities.

Expected outcome and deliverables defined in individual work order instrument.

FIVE-YEAR REVIEW

Provide technical support to determine whether the remedy at a site is/remains protective of human health and the environment and evaluate the implementation and performance of the selected remedy in accordance with OSWER Directive 9355.7-03B-P, "Comprehensive Five-Year Review Guidance", June 2001. The contractor shall consider all current and past activities at the site. EPA will make all final determinations.

Expected outcome and deliverables:

A Five-Year Review document is at a minimum, (1) submitted on or before the due date, (2) consistent with the Comprehensive Five-Year Review Guidance, (3) contains a protectiveness statement that is well supported by the document, and (4) provides information specified in the guidance for any identified follow-up actions that affect the protectiveness of the remedy.

RECORDS MANAGEMENT AND ADMINISTRATIVE SUPPORT

Compile the site file and the Administrative Record. The site file shall contain all site-related documents including memoranda, correspondence, reports, photographs, lab data and other material produced or received by EPA. The Administrative Record is a subset of the site file containing documents that relate to public involvement and the selection of the Remedial Action.

Expected outcome and deliverables defined in individual work order instrument.

REAL PROPERTY ACQUISITION SUPPORT

Perform support for property acquisition activities. The EPA will perform actual acquisition activities.

Expected outcome and deliverables defined in individual work order instrument.

TECHNICAL ASSISTANCE

Perform expert technical assistance for a specific site.

Expected outcome and deliverables defined in individual work order instrument.

INTEGRATED SITE ASSESSMENT/INVESTIGATION

Perform integrated site assessment and investigation activities for both potential removal candidates and potential NPL candidates. Integrated site assessment and investigation activities will generally be performed under the following conditions:

- o Public drinking water supplies are or may be contaminated with a hazardous substance;
- o Private wells are or may be contaminated with a hazardous substance above a health based benchmark;
- o Soils on school, day care center, or residential properties are or may be contaminated above background levels;
- o A hazardous substance is detected or suspected above background in an off-site air release in a populated area;
- o A highly toxic substance known to bioaccumulate has been or may have been discharged into surface waters; and/or
- o Sensitive environments are or may be contaminated with a hazardous substance above background levels.

Activities performed pursuant to this requirement shall be in conformance with OSWER Directive 9345.1-6FS, September 1993 entitled, "Integrating Removal and Site Assessment Investigation's (EPA/540-F-93-038).

Expected outcome and deliverables defined in individual work order instrument.

Attachment 1

Levels of Personnel Background Checks and Drug Screening for Contractor Employees

The contractor shall provide qualified personnel that meet the background check and drug screening requirements established below. The EPA has established 2 levels of criteria. Level 1 contains background criteria applies to all contractor employees working at a site. Level 2 contains background check criteria and drug screening requirements that apply to all contract employees working at sites that are designated by EPA as "Sensitive Sites." Examples of such sites include those that involve law enforcement activities, apparent or suspected terrorist activities, any indoor cleanups (including private residences), drug lab cleanups, and response actions at geographically sensitive locations such as military installations and government buildings. The Contracting Officer or On-Scene Coordinator will notify the Contractor whenever EPA designates a site as a sensitive site. The designation will be provided to the Contractor in the task order, work assignment, or verbally, as the situation warrants. If a background check has been performed within one (1) year prior to the requirement for the background check, the contractor need not conduct another background check.

LEVEL 1 - EPA Background Check Criteria:

- Can be a non U.S. citizen with a valid visa,
- No convictions for crimes involving issues of National Security. A "national security crime" is defined as any criminal activity involving espionage or foreign aggression against the United States, intelligence or counterintelligence activities, including development of defense plans or policies, concerned with undermining or overthrowing the government of the United States and unlawful handling or disclosure of classified information.
- ☐ No weapons offense in the last five (5) years,
- ☐ No felony conviction in the last three (3) years,
- ☐ Not a fugitive from justice,
- ☐ Not listed in the Excluded Parties Listing System (EPLS). EPLS is a web-based database that identifies parties excluded throughout the U.S. Government from receiving federal contracts or subcontracts. The EPLS is available at: <http://epls.gov>

LEVEL 2 - EPA Background Check Criteria for Sensitive Sites

- Must be a U.S. citizen,
- No convictions for crimes involving issues of National Security. A "national security crime" is defined as any criminal activity involving espionage or foreign aggression against the United States, intelligence or counterintelligence activities, including development of defense plans or policies, concerned with undermining or overthrowing the government of the United States and unlawful handling or disclosure of classified information.
- ☐ No weapons offense in the last ten (10) years,
- ☐ No felony conviction in the last seven (7) years,

- No misdemeanor conviction in the last five (5) years,
- No convictions for three (3) separate offenses in the last ten (10) years (excluding traffic offenses),
- Not a fugitive from justice,
- Not listed in the Excluded Parties Listing System (EPLS). EPLS is a web-based database that identifies parties excluded throughout the U.S. Government from receiving federal contracts or subcontracts. The EPLS is available at: www.epls.gov

Drug Screening at Sensitive Sites: Contractor employees working at designated “Sensitive Sites”□ must pass, within the previous 90 calendar days, a drug test for the presence of marijuana, cocaine, opiates, amphetamines, and phencyclidine (PCP) in conformance with the Mandatory Guidelines for Federal Drug Testing Programs first published by the Department of Health and Human Services in the Federal Register on April 11, 1988 (53 FR 11979), and revised on June 9, 1994 (59 FR 29908), on November 13, 1998 (63 FR 63483), and on April 13, 2004 (69 FR 196440); and Procedures for Transportation Drug Testing Programs, 49 CFR Part 40. References to “DOT “ shall read, as “EPA”□ and the split sample method of collection shall be used.

The requirements in Level 1 or 2 may be waived by the Contracting Officers, on a case by case basis, at a specific location, or for a specific individual.

If the results of an employee's background check or drug screening do not meet the criteria in either Level 1 or 2, as required, the Contractor may apply for a waiver. To initiate the waiver process, the contractor must submit, in writing, the background report or drug testing on the employee and an explanation of the need for the employee for approval by the Agency before the employee performs contract services for EPA. The contracting officer will notify the contractor of the Agency decision within five (5) days of receipt of the contractor's request for a waiver. The contractor shall submit its request to the Director, Superfund/RCRA Regional Procurement Operations Division at:

By Mail:

U.S. Environmental Protection Agency
 Director, Superfund/RCRA Regional Procurement Operations Division
 Mail Code 3805R
 1200 Pennsylvania Avenue, NW
 Washington, DC 20460

By Courier/Hand Carried:

U.S. Environmental Protection Agency
 Director, Superfund/RCRA Regional Procurement Operations Division
 Bid and Proposal Room
 Ronald Reagan Building, 6th floor, Room 61107
 1300 Pennsylvania Avenue, NW
 Washington, DC 20004

The Bid and Proposal Room hours of operation are 8:00 AM - 4:30 PM weekdays, except Federal holidays.

